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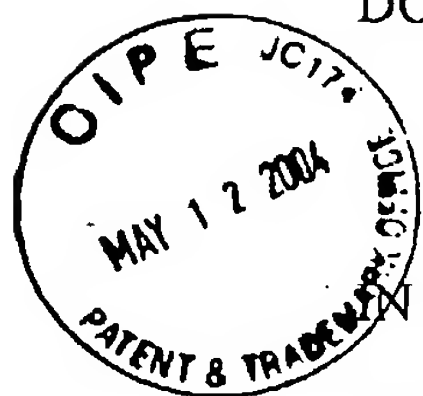
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DOCKET NO: 242501US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

CHRISTOPHER DEAN, ET AL.

SERIAL NO: 10/654,943

FILED: SEPTEMBER 5, 2003

FOR: ADAPTABLE RESOURCE MODEL

:

: EXAMINER: UNASSIGNED

:

: GROUP ART UNIT: 2123

:

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(A)

Mail Stop PETITION
Commissioner of Patents
Post Office Box 1450
Alexandria, VA 22313-1450
ATTN: E. Shirene Willis

RECEIVED
MAY 27 2004
OIP&E/JCWS

SIR:

In response to the Decision Refusing Status Under 37 CFR 1.47(a), mailed March 12, 2004, please reconsider our petition under 37 CFR 1.47(a), filed January 26, 2004, based on the enclosed new Declaration.

The Decision Refusing Status Under 37 CFR 1.47(a) indicates that the available inventors must execute a new Declaration that lists the residence and most recent home address or mailing address for the unavailable inventor, Mr. David Cuillerier.

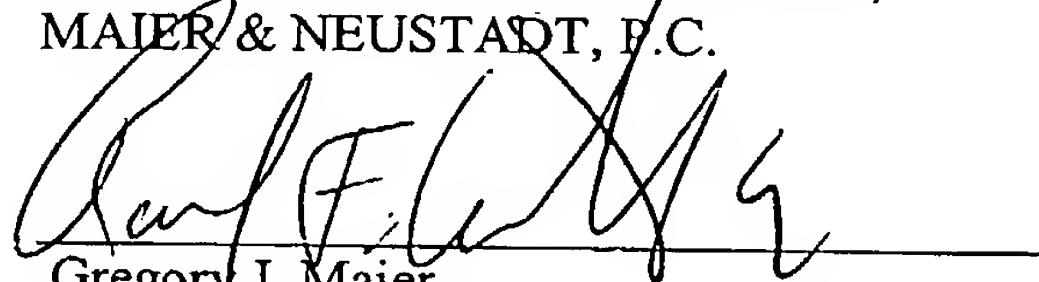
Accordingly, Applicants respectfully request that the enclosed new Declarations and Powers of Attorney that lists Mr. Cuillerier's last known address (i.e., 171 Lees Avenue, Apt. 1611, Ottawa, ON K1S5P3) and are signed by the available inventors (i.e., Mr. Christopher Dean, Mr. Stephen Mason, Mr. Cyril Soga, Mr. Julien Brainerd, Mr. Alain Lemoine, Mr. Ed Maciver and Mr. Dmytro Toptygin) be accepted on behalf of themselves and the unavailable

Application No. 10/654,943
Reply to Office of Petitions dated March 12, 2004

inventor, Mr. David Cuillerier, and further request that the petition mailed January 26, 2004
be granted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

Raymond F. Cardillo, Jr.
Registration No. 40,440

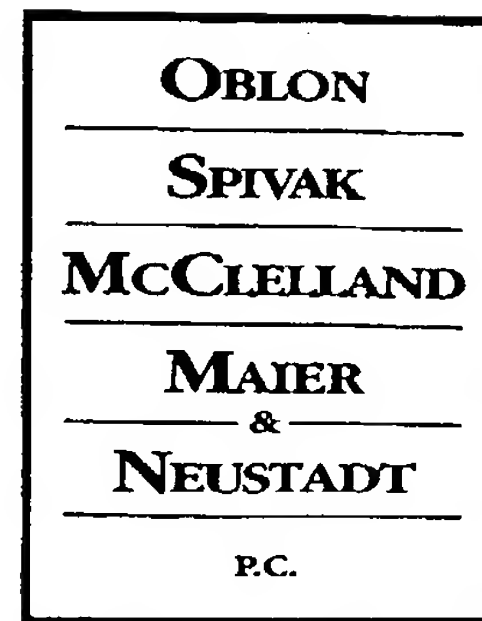
GJM:RFC:ZSS:dnf

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Docket No.: 242501US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/654,943
Applicants: Christopher DEAN, et al.
Filing Date: September 5, 2003
For: ADAPTABLE RESOURCE MODEL
Group Art Unit: 2123
Examiner: Unassigned

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR § 1.47(A)
SUBSTITUTE DECLARATION (4)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier

Registration No. 25,599

Customer Number

22850

(703) 413-3000 (phone)

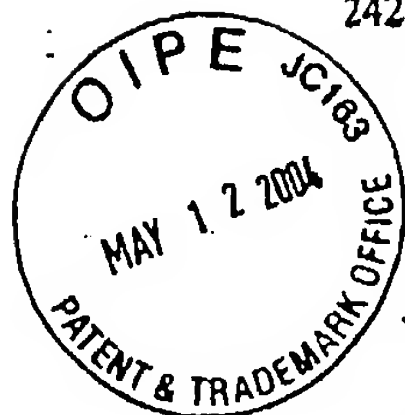
(703) 413-2220 (fax)

I:\ATTY\ZSI\24\242501US\242501 PTO CVR LTR DEC.DOC

Raymond F. Cardillo, Jr.

Registration No. 40,440

242501US2



Substitute Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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the specification of which

☐ is attached hereto.

☒ was filed on SEPTEMBER 5, 2003 as

Application Serial No. 10/654,943

and amended on _____

☐ was filed as PCT international application

Number _____

on _____

and was amended under PCT Article 19

on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

This dec taken with 1/26/04 doc make a complete dec.

We (I) hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

60/408,289
(Application Number)

SEPTEMBER 6, 2003
(Filing Date)

(Application Number)

(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or under §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.

Filing Date

Status (pending, patented,
abandoned)

And we (I) hereby appoint the following registered practitioner(s):

Customer Number

22850

as our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to

Customer Number

22850

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Christopher DEAN
NAME OF FIRST OR SOLE INVENTOR

Residence: 29 Kings Landing Priv., Ottawa, Ontario
K1S5P8, Canada

Signature of Inventor

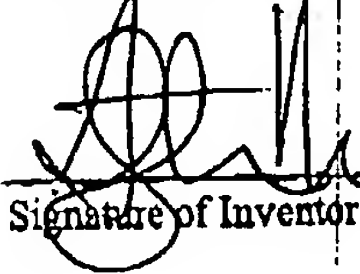
Citizen of: Canada

Mailing Address: same as above

Date

Stephen MASON

NAME OF SECOND JOINT INVENTOR



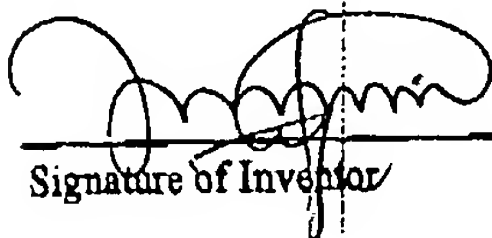
Signature of Inventor

31 MARCH 2004

Date

Cyril SOGA

NAME OF THIRD JOINT INVENTOR



Signature of Inventor

29 March 2004

Date

Julien BRAINERD

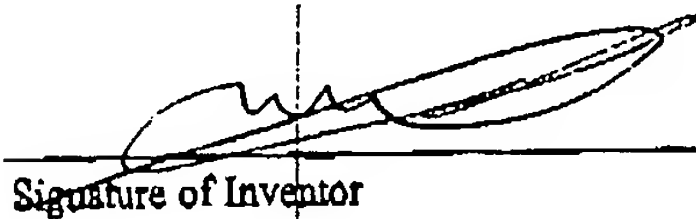
NAME OF FOURTH JOINT INVENTOR

Signature of Inventor

Date

Alain LEMOINE

NAME OF FIFTH JOINT INVENTOR



Signature of Inventor

March 29th, 2004

Date

Residence: 4134 Wolfe Point Way, Gloucester,

Ontario K1V1P4, Canada

Citizen of: Canada

Mailing Address: same as above

Residence: 1851 Des Epinettes Ave., Orleans,

Ontario K1C6N2, Canada

Citizen of: Canada

Mailing Address: same as above

Residence: 16 Oakwood Ave., Nepean, Ontario

K2E6A5, Canada

Citizen of: Canada

Mailing Address: same as above

Residence: 364 Verdon Private, Ottawa, Ontario

K1T3A2, Canada

Citizen of: Canada

Mailing Address: same as above

Ed MACIVER

NAME OF SIXTH JOINT INVENTOR

Signature of Inventor

Date

Dmytro TOPTYGIN

NAME OF SEVENTH JOINT INVENTOR



Signature of Inventor

29 Mar 2004

Date

David F. CULLERIER

NAME OF EIGHTH JOINT INVENTOR

Signature of Inventor

Date

Residence: 1893 Greenacre Crescent, Gloucester,
Ontario K1J6S7, CanadaCitizen of: CanadaMailing Address: same as aboveResidence: 4 McPeake Pl., Ottawa, Ontario
K2K3K4, CanadaCitizen of: UkraineMailing Address: same as aboveResidence: 171 Lees Avenue, Apt. 1611
Ottawa, ON K1S5P3

Citizen of: _____

Mailing Address: _____

242501US2



Substitute Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

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We (I) believe that we are (I am) the original, first and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ADAPTABLE RESOURCE MODEL

the specification of which

☐ is attached hereto.

☒ was filed on SEPTEMBER 5, 2003 as

Application Serial No. 10/654,943

and amended on _____

☐ was filed as PCT international application

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on _____

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Application No.	Country	Day/Month/Year	Priority Claimed
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

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(Application Number)	(Filing Date)
<u> </u>	<u> </u>
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Application Serial No.	Filing Date	Status (pending, patented, abandoned)
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

And we (I) hereby appoint the following registered practitioner(s):

Customer Number
22850

as our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to

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Christopher DEAN
NAME OF FIRST OR SOLE INVENTOR

Residence: 29 Kings Landing Priv., Ottawa, Ontario
K1S5P8, Canada


Signature of Inventor

Citizen of: Canada

Mailing Address: same as above

APR 05/04
Date

Stephen MASON
NAME OF SECOND JOINT INVENTOR

Signature of Inventor

Date

Cyril SOGA
NAME OF THIRD JOINT INVENTOR

Signature of Inventor

Date

Julien BRAINERD
NAME OF FOURTH JOINT INVENTOR

Signature of Inventor

Date

Alain LEMOINE
NAME OF FIFTH JOINT INVENTOR

Signature of Inventor

Date

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Citizen of: Canada

Mailing Address: same as above

Ed MACIVER

NAME OF SIXTH JOINT INVENTOR

Signature of Inventor

Date

Dmytro TOPTYGIN

NAME OF SEVENTH JOINT INVENTOR

Signature of Inventor

Date

David F. CULLERIER

NAME OF EIGHTH JOINT INVENTOR

Signature of Inventor

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Ottawa, ON K1S5P3

Citizen of: _____

Mailing Address: _____

MAR. 19, 2004

5:17 PM

OIP ELEC. MECH. & ELEC.

NO. 540

P. 7

242501US2

MAY 12 2004

Substitute Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

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ADAPTABLE RESOURCE MODEL

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Application Serial No. 10/654,943

and amended on _____

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Signature of Inventor

Citizen of: Canada

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Signature of Inventor

Citizen of: Canada

Mailing Address: same as above

Date

Stephen MASON

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Signature of Inventor

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Date

Ed MACIVER
NAME OF SIXTH JOINT INVENTOR

Ed Mac Iver
Signature of Inventor

Apr 8, 2004
Date

Dmytro TOPTYGIN
NAME OF SEVENTH JOINT INVENTOR

Signature of Inventor

Date

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NAME OF EIGHTH JOINT INVENTOR

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Date

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